IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 11552 of 2005

Between:

M/s. Shivani Girls Junior College rep.by its Joint Secretary- M. Satish Kumar
Vidyanagar Manda Marri
(Sponsored by Shiva Sai Educational Society) District: Adilabad.

..... PETITIONER

AND

1 A.P.State Council for High Education Rep.by its Secretary
Saifabad Hyderabad.
2 Board of Intermediate Rep. by its Commissioner and Secretary
Nampally Hyderabad.

.....RESPONDENTS

Under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the notification No. Rc.No.15/E2-3/2005, dt.31-3-2005 issued by the 2nd respondent which was published in English newspaper on 1-4-2005 as illegal, arbitrary and contrary to the provisions of A.P. Education Act 1982 and its Rules, and consequently direct the respondents herein not to proceed further for establishment of new unaided junior colleges for the academic year 2005-2006 in pursuant to the notification dt.31-3-2005 issued by the 2nd respondent herein so far as it relates to Mandamarri area.

Counsel for the Petitioner: MR.VINOD KUMAR DESHPANDE

Counsel for the Respondents: MR.C.SUDESH ANAND(SC FOR APSCHE)

The Court made the following :

THE HONOURABLE SRI JUSTICE K.C.BHANU

WRIT PETITION NO.11552 OF 2005

ORDER:

This writ petition is filed seeking to declare the notification dated 31.3.2005 issued by the second respondent in Rc.No.15/E2-3/2005 calling for applications from the educational societies for establishment of new private unaided junior colleges for the academic year 2005-2006, as illegal and contrary to the provisions of A.P.Education Act 1982.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

It is contended by the learned counsel for the petitioner that without considering the need of the locality and without considering the objections raised by the petitioner in its representation dated 03.5.2005, the respondent has issued the impugned notification.

However, it is for the second respondent to take appropriate decision in accordance with law. Therefore, without entering into the merits of the case, I deem it appropriate to dispose of the writ petition directing that the respondents shall, before finalisation of issue of establishment of unaided private colleges, take into consideration the objections raised by the petitioner in its representation dated 03.5.2005.

The writ petition is accordingly disposed of. No costs.

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K.C.BHANU,J

24th May, 2005.

Mdaa

Copy to:

1. The Secretary A.P.State Council for High Education, Saifabad Hyderabad.
2 Board of Intermediate Commissioner and Secretary
Nampally Hyderabad.

3. Two C.D.copies.